

MARICOPA COUNTY, ARIZONA

ADULT PROBATION OFFICER I

STUDY GUIDE

PREPARED BY

RESOURCE ASSESSMENT SERVICES

MCAPO-02-98

(Revised 04/22/05)

**NOTE:** If the applicant meets minimum qualifications for Adult Probation Officer, the applicant will be notified by email of the date, location, and time of the pre-employment testing.

## IMPORTANT NOTICE

This study guide contains examples of the type of material that a Maricopa County Adult Probation Officer is expected to learn and recall.

The information in this study guide may or may not reflect current laws, rules, and regulations. Approximately one third of the written examination will be based on this study guide. Answers to the test questions derived from this study guide **MUST** be based on the information contained in this guide. Responses based on knowledge of law enforcement, administration of justice, criminology courses, or any other sources, even though technically correct, **WILL NOT BE ACCEPTED** as correct, IF they differ from this study guide.

**DO NOT** bring this study guide with you to the examination site.

ADULT PROBATION DEPARTMENT

SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

**VISION STATEMENT**

An agency of professionals committed to continuous improvement in the quality of community life by offering hope to neighborhoods, victims, and offenders.

**MISSION STATEMENT**

To enhance the safety and well being of our neighborhoods.

We accomplish this by:

Working in partnerships with the community to provide prevention and intervention services;

Providing presentence reports and significant information to the courts;

Managing offender risk by enforcing court orders, affording opportunities for change, and expecting positive and law-abiding behavior;

Facilitating victim involvement and restorative justice services;

Recognizing and rewarding staff performance and achievement;

Promoting excellence in service and innovation in leadership.

**VALUES**

We Believe:

People can change and that probation services are the most viable means of effect positive changes;

In treating all people with dignity and respect;

In promoting and maintaining a positive, safe, and healthy work environment;

In shared leadership with staff and the community;

Staff are the greatest resource in accomplishing our mission.

## **A DAY IN THE LIFE OF A FIELD PROBATION OFFICER**

Sally Smith has been a probation officer for four years and she currently supervises a caseload of 70 clients in the South Central Phoenix area. The following describes a fairly typical day experienced by field probation officers.

8:00-8:15

Sally starts her day from home by checking her voice mail at the office. She receives a message from Mrs. Johnson, the mother of one of Sally's clients Theresa. Mrs. Johnson reports Theresa has been acting strangely in the past few days and the mother suspects Theresa has relapsed into using drugs. Sally calls her office and since she has her radio with her, she checks out to the field for several hours.

8:15-9:00

Sally stops at the Johnson home on the way to the office. She meets with Theresa who reluctantly admits she has relapsed into cocaine use. Theresa is willing to attend treatment and she and Sally work together to develop a treatment plan. Sally refers Theresa to a treatment program in the neighborhood and Theresa agrees to begin the program.

9:00-9:30

Sally stops at the neighborhood GED lab and finds her client working in the computer lab. Sally chats with Tom's instructor for a few minutes and finds out that Tom is making great progress. Sally congratulates Tom on his progress and encourages him to keep attending the program.

9:45-10:30

The previous day Sally was advised that her client Bill was having difficulties completing his residential treatment program. Sally stops at the program and meets Bill and his counselor. She discovers Bill's difficulties center around his behavior in the group meetings. Sally, Bill, and Bill's counselor develop a behavioral contract and Bill agrees to improve his behavior. Sally discusses the long-term benefits Bill will receive by completing counseling. Bill discloses that he has been upset lately because his family has not visited him at the program.

10:45-11:00

Sally contacts Bill's family and informs them of the visiting days and hours at the residential treatment program. She encourages the family to visit Bill and explains that their support is important to Bill's recovery. Bill's family promises to try to see Bill the following weekend.

11:00-12:00

Sally receives a call from a residential treatment program. A bed space has become available for Sally's client Jessica. Jessica can enter the program in three days if Sally

can get Jessica released from custody. Sally checks with the jail to confirm Jessica has no additional charges pending or holds. Jessica's victim has opted in for notification of court matters. Sally calls the victim and explains that Jessica can enter into a residential treatment program. The victim has no objections to allowing Jessica released early. Sally prepares the modification and order of release and submits them to support staff for typing.

12:00-12:45

One of Sally's former clients, Hector, comes into the office unexpectedly. Hector is no longer on probation but is having difficulties with his relationship with a new girlfriend. He asks Sally for assistance. Sally locates a relationship instruction group in Hector's neighborhood. She contacts the program and discovers a new group is starting the following week. She allows Hector to call the program from her office and arrange to begin classes. Sally discusses Hector's progress and encourages him to attend the relationship instructional group.

12:45-1:30

Sally attends a luncheon for a co-worker who is transferring to another assignment.

1:30-2:30

Sally updates her case files with the information she obtained during the morning.

2:30-3:00

Sally attempts to contact clients who did not report as directed in the past week. She locates most of clients and schedules appointments to see them at their residence or at the office.

3:00-3:15

Sally reviews a police report on one her clients, Dan, who was arrested for theft. Dan has admitted his guilt and a combination report has been ordered by the Court.

3:15-3:45

The release orders for Sally's client Jessica have been typed. Sally contacts the court and discovers the Judge is not in trial this afternoon and is available to sign the release. Sally takes the release orders to the court and the Judge orders Jessica's release to the residential treatment program. Sally delivers the signed release orders to the Court Clerk and the Sheriff's office.

3:45-4:30

Sally interviews her client Dan who is pending disposition and sentencing. They discuss Dan's previous behavior on probation, and the issues that led to his new arrest and the plea agreement. Dan requests an opportunity to be placed on Intensive Probation.

4:30-4:45

As Sally is leaving the jail she sees an Intensive Probation Officer. Sally presents Dan's case to the IPS (Intensive Probation Supervision) Screener who determined that Dan meets the eligibility requirements for IPS.

4:45-5:00

On her way to see a client at their home, Sally receives a page from her office. She calls the office from her cellular phone and discovers that one of her clients Peter is in the lobby. Peter had absconded from probation three months before and Sally had requested a warrant for probation violation.

5:00-5:30

Sally meets Peter at her office. Peter explains he absconded because he did not want Sally to find out about his drug problem.

Peter has made arrangements to enter into a drug treatment program and he would like an opportunity to enter the program. Sally recalls Peter did not have a lengthy history of arrests nor any arrests for violence. Sally agrees to discuss Peter's case with her supervisor and consider asking the Court to quash the warrant. Sally directs Peter to report the following morning.

5:30-5:45

On her way home, Sally delivers Jessica's paperwork to the residential treatment program. Sally confirms Jessica will be able to enter the program when Jessica is released from jail.

## **TRAINING**

COJET Standards for Training:

PURPOSE: To provide staff with training to assure work skill competency.

PROCEDURE:

I. All Department staff will complete the following required training hours per year and report all training accumulated to the Staff Development and Training Office.

- A. Court staff - 16 hours
- B. Probation Officers, Surveillance Officers, & Supervisors (1-4 yrs experience) - 40 hours
- C. P.O., S.O., & Supervisors (more than 4 years) - 20 hours

II. Training hour records will be maintained by the Staff Development and Training Office and will be reported annually to the Chief Adult Probation Officer and the Council on Judicial Education and Training.

III. All training classes announced on the Department's training calendar would meet COJET requirements for training.

IV. Noncompliance should be cause for disciplinary action, which may include but not limited to formal reprimand, suspension, demotion, or dismissal.

V. Classes not sponsored by the Staff Development and Training Office will require prior review and approval by Staff Development to assure compliance with COJET training credit. This must be done prior to the attendance or participation in each outside training class.

VI. To facilitate the review and approval process by Staff Development, each training class must be at least one hour in length and include a lesson plan outline, attendance roster, and evaluation forms completed by all participants.

### **ORIENTATION OF PROBATIONERS**

Within ten working days of assignment, if the defendant is out of custody and 30 days if the defendant is in custody, the probation officer will have an initial contact with the probationer and thoroughly review the terms and conditions of probation. Both parties will sign a Review and Acknowledgment of Terms of Probation form and the probationer will be provided a copy.

During the initial contact, the probation officer will make certain that the probationer fully understands the probation terms as well as the consequences of noncompliance.

The role of the probation officer will be described, including responsibilities to the court and community, to the probationer.

Each probationer's case will be handled on an individual basis. An action plan will be formulated to meet the needs of the probationer and the community. Progress or lack thereof, shall be documented.

The probation officer will utilize available community resources and refer the probationer for counseling (i.e., marital, family, financial, substance abuse, etc.) if appropriate.

The Implementation of Terms of Probation form will be used when giving the probationer specific directives. The probationer will be provided with a copy.

The status of a case, as well as information noting all services rendered, will be documented in the case file as chronological entries.

## **TERMINATION**

The probation officer may petition the court for an early termination of probation in any case where the probationer's conduct or the circumstances of the case do not warrant further probation supervision.

Upon expiration of a probation grant, the probation officer will submit to the court an Order of Discharge from Probation.

Upon early termination or expiration of probation, the probation officer will inform the probationer of the right to petition the court to restore civil rights and set aside the judgment of guilt through the Clerk of the Superior Court.

## **PRESENTENCE REPORT**

A typical presentence report would include the following:

Citing the official report of the arresting agency as your source, (normally a police departmental report), briefly summarize only the facts of the crime which resulted in the defendant being charged, not the investigation itself. Use direct quotes from departmental reports sparingly and for emphasis. The journalistic style of writing is preferred, namely, answering the questions who, what, when, where, and how. Special emphasis is given to significant specific information when available, such as the amount of economic loss and/or injuries to victims, property taken/recovered, quantity of drugs, results of scientific analysis and blood alcohol level.

If relevant and available, briefly summarize the defendant's statements made to police and the attitude of the defendant at the time of the arrest.

Write a brief and concise summary of what the defendant said or wrote about his/her involvement in the present offense and all related offenses. Direct quotes may be used sparingly to add emphasis or clarity. If there are any discrepancies between the official version of the offense and the defendant's version they are noted here.

Include any factors or background information provided by the defendant, which led to, or contributed to, the present offense, such as: motivation, drug or alcohol involvement, etc.

Of equal importance are such factors as the defendant's attitude toward the victim(s), if any. Does the defendant accept responsibility for their losses? Remorse or feelings of guilt are frequently manipulative maneuvers by a defendant. These are generally viewed by the court as having less significance and need not be included.

Finally, the defendant's statements concerning all segments of the criminal justice system are important, e.g., the arresting officers, the court, and the presentence investigation process. The defendant's future plans are included, particularly opinions about probation



supervision or incarceration.

It is the policy of the Probation Department to contact victims as soon as possible. Contact may consist of a telephone call, letter, or personal visit. If all other attempts fail, a letter must be sent to the last known address in order to satisfy statutory requirements. All attempts to contact will be fully documented governed by "due diligence."

Victims of related offenses will be contacted when restitution to them is stipulated in the plea agreement.

**ALWAYS:**

- a. Familiarize yourself with the case in order to anticipate problem areas.
- b. Identify yourself.
- c. Speak slowly and clearly when explaining reason for contact.
- d. Advise victim of court's interest.
- e. Notify primary victims of "the right to appear personally or by counsel at any aggravation or mitigation hearing."
- f. Discuss any emotional impact on victim or the family and ask for recommendations (if any).

**NEVER:**

- a. Promise restitution, however you may explain that it is one area that the court will consider.
- b. Try to defend the plea agreement; rather refer the victim to the appropriate attorneys.
- c. Wait until the last minute to contact the victim.

There are two subheadings under the prior record section of the report, "Juvenile" and "Adult." Cite the specific sources of the information, e.g., Phoenix Police Dept., M.C.S.O., FBI, etc. The prior arrest record is usually displayed in three columns, headed: ARREST DATE PLACE OF ARREST CRIME/DISPOSITION. A narrative may be used instead of the columnar format when there are only one or two prior arrests. A narrative may also be used to group together a large number of similar arrests, e.g., "fifteen incidents of disorderly conduct were recorded between the years of 1985 and 1987."

All prior offenses should have a disposition. Official legal verification is the most useful, but even a lesser level of verification is acceptable and can be used when nothing else is

available, e.g., "The defendant stated he spent six months in jail for this offense." When no disposition is available this will be noted, e.g., "No disposition available."

If a presentence report was completed on the defendant within one year, this section may be used to update that information and refer to the previous report. The prior report will be attached to the current report.

If the defendant has been on probation or parole, the summaries of progress on supervision are mentioned here. Officers are encouraged to investigate Department of Corrections files and include summaries. The defendant's comments about previous probation grants or incarceration are also useful to the court and are included here in narrative form, e.g., "The defendant stated he hated being on probation because his probation officer was too strict on him." If criminal charges are still pending in other jurisdictions, these are identified as accurately as possible, including their present status and ID number if available. Traffic arrests may be omitted but when included are identified as such and are best dealt with by grouping them together in narrative form. If defendant has no record at all, juvenile and adult can be combined.

Outline only the significant factors of the defendant's background, focusing primarily on those events, which may have had some bearing on the present offense and may reflect his future progress. "Nice-to-know" data will not be included in this section. Not all information collected during the investigation will be included, but may assist in arriving at an appropriate recommendation. Preface this section with the following source statement, "Unless otherwise noted, the following information was provided by the defendant."

For restitution cases, outline the defendant's income, total expenses (not necessarily itemized), and assets. Matters of restitution, PSF, victim compensation, and any other court-ordered Moines will be addressed.

The factors listed below will then be provided:

1. Defendant's age:
2. Defendant's income:
3. Defendant's assets:
4. Defendant's education:
5. Defendant's obligation to support dependents:
6. Defendant's employment history:
7. Defendant's prospects for employment:
8. Others:

## **STANDARD PROBATION**

- A. Standard probation is the usual recommendation for probation- eligible offenders. Typically, these cases would not require intensive monitoring or confinement. The maximum length of probation is controlled by statute, but a probation officer can

recommend less time under mitigating circumstances.

- B. When making a recommendation for probation, careful consideration is necessary to determine which special terms of probation should be imposed by the court. Special terms addressing monetary obligations and the needs of the defendant such as: substance abuse, counseling, eligibility for the Community Punishment Program, sex offender treatment, jail time, and literacy training should be recommended. In addition, illegal aliens and persons seeking interstate compact require special terms. Whenever possible, reasons and justifications for special terms should be discussed in the Discussion and Evaluation section of the Presentence Report.

### **INTENSIVE PROBATION SUPERVISION (IPS)**

- A. Intensive probation is utilized for more serious offenders where intensive monitoring is indicated. Officers are reminded that intensive probation is toward the end of the sentencing continuum and less stringent options should be utilized first.
- B. All probation-eligible felonies or undesignated offenses may be considered. Persons being sentenced on misdemeanors are not eligible.
- C. Screening requirements for IPS must be followed.
- D. A Risk Assessment must be completed for each person being considered for intensive probation. Persons falling outside the IPS Matrix require special authorization by the Chief Probation Officer or his designee. The attitude of the victim and the defendant toward an IPS recommendation must also be taken into consideration.
- E. At the request of the court, officers must discuss their reasons for or against an IPS recommendation in each report.

### **IPS OFFICER SAFETY PROCEDURES**

The safety of all staff is an issue of paramount importance to this department. Therefore, it is important that each officer understand procedures that provide safety in direct client contact and enhance individual awareness to recognize and avoid dangerous situations.

- I. Know as much as possible about your probationer and the objectives of each visit. Review and evaluate all pertinent information concerning the client; including presentence, psychological, chronological, etc.
- A. All initial contacts with clients who have histories of violence or cases where a problem might surface, should be made with assistance; generally another team member.

- B. If an officer "senses" danger, the officer should not risk entry. It is advisable to leave and return with assistance. Never take unnecessary risks and always remember contacts can be made at another time or place.
- C. Use common sense, not confrontation, to avoid situations that appear dangerous. Never risk injury to yourself or others by provoking a client or allowing yourself to be provoked by the client.
- D. It is important to know what law enforcement agencies are available in the area where the probationer resides. It is also necessary to know how to make emergency calls for support if necessary. Each officer should be familiar with emergency procedures. The emergency button on the radio is for emergency situations only. Consider all avenues for emergency assistance.
- E. In case of an emergency, keep the dispatcher informed of your whereabouts as outlined in manual item, Radio and Communication Procedures 5.14.

## II. OFFICER SAFETY TRAINING

All officers are required to complete the Defensive Tactics program offered by Staff Development. Officers must successfully complete the course prior to one year of employment. IPS officers will be required to complete additional safety training as deemed necessary by the IPS management team.

## III. SAFETY EQUIPMENT WHICH SHOULD BE ASSIGNED AND UTILIZED BY EACH OFFICER:

- A. MAG LIGHT FLASHLIGHT - To be used by officers in low light situations as a visual aid.
- B. SOFT BODY ARMOR - To be used by all officers, when available, under arrest conditions or any other dangerous situations.
- C. AGENCY IDENTIFICATION JACKETS - To be used by all officers under all arrest and search situations.
- D. RADIOS - To be used by all officers during the course of field duties and per IPS manual item, Radio and Communication Procedures.
- E. NON-LETHAL AEROSOL - The department has issued a spray canister of oleoresin capsicum (cayenne pepper) in an alcohol base for defensive use by staff.

## SPELLING

As an Adult Probation Officer, you will be responsible for the preparation of numerous written reports. These reports may be narratives of criminal acts, descriptions of stolen property, or memorandum explaining your actions. It is, therefore, important that your reports be legible, grammatically correct and that the words used are spelled correctly.

Below is a list of some of the most frequently misspelled words in probation reports:

accessory	disheveled
accident	disorderly
acquainted	dilapidated
adjacent	disperse
affidavit	disturbance
aggravate	drowned
alibi	embezzlement
alleged	epilepsy
ambulance	erratic
analysis	exceed
angle	exhaust
apparently	exhibit
approached	farthest
arraigned	felonious
arrests	fictitious
asphalt	fondle
autopsy	forcible
barbiturate	fugitive
battery	handicapped
belligerent	harassed
bicycle	height
burglary	heroin
caliber	hindrance
Caucasian	homicide
cocaine	hypodermic
collision	hysterical
concealed	illicit
conscientious	illiterate
continuing	imaginary
controlling	incidentally
contusions	incoherent
coroner	indictment
corroborate	inhabited
counterfeit	innocence
culprit	interfering
curfew	interrogation

defamation	irrational
delinquent	laboratory
desperate	laceration
maintenance	sobriety
malicious	soliciting
marijuana	strength
mischievous	subpoena
miscellaneous	subsidiary
mischievous	suicide
misdemeanor	superstitious
notified	surprised
obscene	surveillance
obstructing	suspicious
obvious	swerved
occasion	syringe
occurrence	tetanus
omission	thieves
opinion	thirtieth
opium	transient
pamphlet	traumatic
paralyze	unconscious
perseverance	vandalize
prescription	vehicular
prevalent	vicinity
probable	visible
prosecute	warrant

THIS IS THE END OF THE ADULT PROBATION OFFICER STUDY GUIDE